

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Alfred S. Despres III, et al.
Patent No. 7,105,030
Issue Date: 09/12/2006
Serial No.: 09/901,310
Filing Date: 07/09/2001
Title: IMPLANT WITH COMPOSITE COATING
Group Art Unit: 3738
Examiner: Suzette Jaime J. Gherbi
Attorney's Docket No.: HAYES-707 CON

Mail Stop 16

Director of the U.S. Patent and Trademark Office

PO Box 1450

Alexandria, VA 22313-1450

Sir:

REQUEST FOR REFUND

Patentee respectfully requests, under 37 CFR 1.28, that a refund of \$490.00 be credited to Deposit Account No. 16-0221 for the amount of the 4th year maintenance fee overpaid by Patentee.

More particularly, Patentee notes that Small Entity status was previously asserted under 37 CFR 1.27(c) by (i) the filing of a written assertion (i.e., a copy of the VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.90(f) AND 1.27(c) - SMALL BUSINESS CONCERN submitted in prior application Serial No. 09/079,502); and (ii) payment of the small entity

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basic filing fee, both of which were submitted on July 9, 2001 (i.e., at the time of filing the above-identified patent application). Patentee asserts that it is still a Small Entity, and therefore allowed to pay certain reduced patent fees. On September 10, 2010, Patentee paid the 4th year maintenance fee (\$980.00) on the basis of Large Entity status. Since Patentee qualifies for Small Entity status, Patentee respectfully requests that the portion of the fees overpaid for the amount of the 4th year maintenance fee (\$490.00) be refunded to Deposit Account No. 16-0221.

Thank you.

Respectfully submitted,



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